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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FEB 28 2020

UNITED STATES OF AMERICA

v.

RICHARD CALHOUN

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Criminal No. 20-60
(18 U.S.C. § 371)

INFORMATION

COUNT ONE

The United States Attorney charges:

INTRODUCTION

At all times relevant to this Information:

1. The defendant, RICHARD CALHOUN, was a citizen of the United States.
2. MH, an individual known to the United States Attorney, was a native and citizen of Vietnam.
3. KN, an individual known to the United States Attorney, was a native and citizen of Vietnam. KN is the aunt of MH.

THE CONSPIRACY AND ITS OBJECTS

4. From on or about January 2010, and continuing thereafter until on or about November 2018, in the Western District of Pennsylvania and elsewhere, the defendant, RICHARD CALHOUN, MH and KN knowingly and willfully did conspire, combine, confederate and agree together and with each other, and with other persons both known and unknown to the United States Attorney, to commit offenses against the United States, that is: attempting to procure, contrary to law, the naturalization of a person or evidence of naturalization or citizenship, including documentary and otherwise, in violation of Title 18, United States Code, Section 1425(a).

MANNER AND MEANS OF THE CONSPIRACY

5. It was a part of the conspiracy that KN introduced MH to the defendant, RICHARD CALHOUN, and requested CALHOUN to enter into a marriage with MH, so that MH could enter the United States and obtain lawful permanent residency and eventual United States citizenship.

6. It was further a part of the conspiracy that the defendant, RICHARD CALHOUN, and MH would, and did, enter into a marriage for the purpose of evading the immigration laws of the United States.

7. It was further a part of the conspiracy that the defendant, RICHARD CALHOUN, and MH made false statements and submitted documents containing false representations to United States Citizenship and Immigration Services (CIS) and committed other fraudulent acts to indicate falsely that they were living together and had a legitimate marriage.

8. It was further a part of the conspiracy that KN agreed to pay, and did pay, money to the defendant, RICHARD CALHOUN, for entering into a marriage with MH and for providing false statements to CIS.

OVERT ACTS

9. In furtherance of the conspiracy, and to effect the objects of the conspiracy, the defendant, RICHARD CALHOUN, MH and KN, and other persons both known and unknown to the United States Attorney, did commit and cause to be committed, the following overt acts, among others, in the Western District of Pennsylvania and elsewhere:

(a) In and around 2010, KN offered money to the defendant, RICHARD CALHOUN, to marry MH in order to evade the immigration laws of the United States, with payment to begin once MH entered the United States.

(b) On or about January 18, 2010, the defendant, RICHARD CALHOUN, travelled to Vietnam to meet MH.

(c) On or about July 28, 2011, the defendant, RICHARD CALHOUN, and MH entered into a marriage in Vietnam in order to evade the immigration laws of the United States.

(d) Between in and around June 2010 to October 2011, the defendant, RICHARD CALHOUN, and MH wrote and exchanged letters and emails with each other to falsely document their relationship and marriage for immigration process.

(e) On or about December 4, 2011, the defendant, RICHARD CALHOUN, signed a Petition for Alien Relative (Form I-130) which was submitted to CIS, in which he claimed to be married to MH when, in fact, as he then well knew, he had entered into a marriage with MH only for the purpose of evading the immigration laws of the United States.

(f) On or about September 27, 2013, the defendant, RICHARD CALHOUN, signed an Affidavit of Support (Form I-864), agreeing to financially support MH, whom he represented to be his relative, in order to evade the immigration laws of the United States.

(g) On or about December 5, 2014, MH entered the United States and obtained lawful permanent resident status through her false marriage to the defendant, RICHARD CALHOUN.

(h) On or about February 7, 2018, MH signed an Application for Naturalization (Form N-400), seeking naturalization based on having been married to and living with the same U.S. citizen spouse—namely the defendant, RICHARD CALHOUN—for the last three years.

(i) In and around 2017, the defendant, RICHARD CALHOUN, received the final payment for marrying MH in order to evade the immigration laws of the United States.

(j) On or about July 2, 2018, MH appeared for her naturalization interview without the defendant, RICHARD CALHOUN, and testified under oath before a CIS officer about

her N-400.

(k) In and around August 2018, in response to the immigration officer's notice of intent to deny MH's application and request for additional evidence, the defendant, RICHARD CALHOUN, added MH to CALHOUN's lease and, along with MH, submitted to CIS that lease and other documents created solely for the purpose of evading the immigration laws of the United States.

In violation of Title 18, United States Code, Section 371.



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